

**Hawaii State Request for a Waiver:  
Exempt the State of Hawaii from including On-the-Job-Training participants  
in credential attainment measures**

**Submitted \_\_\_\_\_**

The Hawaii Workforce Development Council (“WDC”), as well as the Workforce Development Division (“WDD”) of the Department of Labor and Industrial Relations, as the State of Hawaii’s administrator for the Workforce Investment Act (“WIA”) is submitting a waiver to exempt the state of Hawaii from including On-The-Job-Training (“OJT”) participants in credential attainment measures.

The State has consulted with the Local Workforce Investment Boards (“LWIBs”) and the WDD regarding the need for this waiver.

**1. Identify the statutory or regulatory requirements to be waived.**

Hawaii is requesting a waiver of WIA Regulations 666.100 (a) (1) (iv) for Adults, 666.100 (a) (2) (iv) for Dislocated Workers, 666.100 (a) (3) (i) (A) for eligible youth aged 14 through 18, and 661.100 (a) (3) (ii) (D) for eligible youth aged 19 through 21, to exclude individuals who are participating in the OJT program services from inclusion in WIA performance measures standards.

This waiver request follows the format identified in WIA §189(i)(4)(B) and WIA Regulations at 20 CFR §661.420(c).

**2. Describe the actions that the State or local area, as appropriate, has undertaken to remove State or local statutory or regulatory barriers.**

There is no state or local barriers to implementing the requested waiver.

**3. Describe the goals that the State or local area in the State, as appropriate, intends to achieve as a result of the waiver and expected programmatic outcomes.**

The goal of this waiver is to give the local workforce investment areas greater flexibility and access to use of the OJT program without having a negative impact on credential/certificate related to this performance standard. The State of Hawaii feels that, with this waiver, the Local Workforce Investment Boards (“LWIBs”) will have an incentive to increase OJT activity without adversely impacting overall performance. Currently, OJT training adversely counts toward attainment measures, as most OJT programs does not customarily lead to a nationally recognized certificate or credential – a requirement in performance measures.

**4. Describe the individuals impacted by the waiver.**

Providing more flexibility in the workforce system to allow the use of OJT provides significant advantages for businesses, workers, as well as WIA provider entities. For the workforce system, this waiver will give LWIB administrators more flexibility in implementing OJT programs, in a wider

range, to employer-partners. With the ability to provide more flexibility in providing resources toward OJT programs from the LWIBs, Employers will be able to utilize OJT, thus minimizing the upfront costs of training and supervision for new employees, ensure that training is aligned with actual skill requirements of the job, and realize immediate gains in productivity as workers learn on the job. Workers participating in OJT benefit because they are receiving a paycheck while acquiring the skills to perform effectively on the job and advance their careers beyond the lifespan of the training program.

**5. Describe the process used to monitor the progress in implementing such a waiver.**

Upon notification of the approval of this waiver, a WIA Bulletin will be issued to notify local areas of the new policy. The state administrative entity for the WIA will continue to monitor the implementation and impact of the waiver through regular performance reporting that is currently occurring. Furthermore, issues relating to meeting performance goals at the local areas will be identified and provide guidance, resources or a combination to address those issues.

**6. Describe the process used to give local boards the opportunity to comment on the waiver request.**

This waiver request is initiated by the Workforce Development Council of the State of Hawaii Department of Labor and Industrial Relations. It is circulated to the other Neighbor Island counties and boards for their input and comments. The Workforce Development Council reviews the comments from the boards to ensure that they are in agreement with the request.

**7. Describe the process for public comment.**

A discussion piece on waivers in general and this waiver in particular will be disseminated with the meeting packet for the next Council meeting. The agenda is sunshined and posted on the Council's website to ensure adequate public notice.